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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Richard C. Johnson

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EXAMINER

AGWUMEZIE, CHARLES C

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/727,409	Applicant(s) JOHNSON, RICHARD C.	
	Examiner Charlie C. Agwumezie	Art Unit 3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-13, 15-19 and 29-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-13, 15-19 and 29-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/15/05; 5/9/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. Claims 6, 14, and 20-28, are cancelled. Claims 1, 9, 15, and 29 are amended. Claims 1-5, 7-13, 15-19, and 29-33, are pending in this application per the response to office action filed on February 26, 2007.

Response to Arguments

2. Applicant's arguments with respect to claim 1-5, 7-13, 15-19, and 29-33, have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8 and 29-33, are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al U.S. Patent Application Publication No. 2004/0139327 A1 in view of Hwangbo U.S. Patent Application Publication No. 2003/0154376 A1 and further in view of Sudia et al U.S. Patent Application Publication No. 2005/0204129 A1.

As per **claims 1 and 29**, Brown et al discloses in a computing environment having a connection to a network, computer readable code readable by a computer

system in said environment, for enabling a server computer within the computing environment to both authenticate a user of a client computer within the computing environment and to verify that the user is authorized to request that the server computer carry out a requested action, comprising:

a digital certificate assigned to the user of the client computer, the digital certificate comprising a first code portion and a second code portion, wherein the first code portion of the digital certificate is configured enable authentication of the user, the first code portion defines a public key, a certificate serial number, a certificate validity period, a digital signature of the certificate authority, and an extension field;

wherein the second code portion of the digital certificate is configured to define an authority of the user of the client computer to request that the server computer carry out the requested action, the second code portion being configured for inclusion within the extension field of the first code portion, the authority of the user defined within the second code portion of the certificate being verifiable by the server computer independently of the digital certificate by accessing a store of authority information that is independent of digital certificate (see figs. 1 and 3; 0165; 0067; 0174; 0183) by accessing, over the network, a store of authority information that is independent of the digital certificate and by matching the authority of the user defined within the second code portion of the certificate to corresponding authority information of the user retrieved from the accessed independent store of authority information.

What brown does not explicitly teach is a digital certificate assigned to the user of the client computer, the digital certificate comprising a first code portion and a second

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code portion, wherein the first code portion of the digital certificate is configured enable authentication of the user, the first code portion defines a public key, a certificate serial number, a certificate validity period, a digital signature of the certificate authority, and an extension field; and

accessing, over the network, a store of authority information that is independent of the digital certificate and by matching the authority of the user defined within the second code portion of the certificate to corresponding authority information of the user retrieved from the accessed independent store of authority information.

Hwangbo discloses a digital certificate assigned to the user of the client computer, the digital certificate comprising a first code portion and a second code portion, wherein the first code portion of the digital certificate is configured enable authentication of the user, the first code portion defines a public key, a certificate serial number, a certificate validity period, a digital signature of the certificate authority, and the extension field (fig. 10; 0029; 0034; 0096; claim 17).

Sudia et al discloses accessing, over the network, a store of authority information that is independent of the digital certificate and by matching the authority of the user defined within the second code portion of the certificate to corresponding authority information of the user retrieved from the accessed independent store of authority information (0132; ...authorizing agents who will be empowered to instruct the signing device to apply its partial signature...; 0171; ...indicating powers for which the agent is authorized...; 0252; ...verifies that the requesting user's signatures matches...)

Accordingly it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the system of Brown et al and incorporate a digital certificate assigned to the user of the client computer, the digital certificate comprising a first code portion and a second code portion, wherein the first code portion of the digital certificate is configured to enable authentication of the user, the first code portion defines a public key, a certificate serial number, a certificate validity period, a digital signature of the certificate authority, and an extension field and matching the authority of a user within the second code portion of the certificate to corresponding authority information of the user retrieved from the accessed independent store of authority information in view of the teachings of Hwangbo and Sudia et al respectively in order to show details and/or configurable nature of X.509 and its economic/security advantages.

As per **claim 2 and 30**, Brown et al further discloses a computer readable code, wherein the digital certificate conforms to the X.509 standard (0109; 0164; 0183).

As per **claim 3 and 31**, Brown et al further discloses the computer readable code, wherein the second code portion is configured as XML code (0062; 0068; 0069).

As per **claim 4 and 32**, Brown et al further discloses the computer readable code, wherein the XML code is compliant with a DSML standard (0109; 0164; 0183).

As per **claim 5 and 33**, Brown et al further discloses the computer readable

code, wherein the authority of the user of the client computer is stored in a hierarchical authority data structure that is accessible by the server computer (0183).

As per **claim 6**, Brown et al further discloses the computer readable code, wherein the authority of the user defined within the second code portion of the certificate is verifiable by the server computer accessing a store of authority information that is independent of the received certificate (0183).

As per **claim 7**, Brown et al further discloses the computer readable code, wherein the authority defined within the second code portion defines access rights of the user to data and programs within the computing environment (0183).

As per **claim 8**, Brown et al further discloses the computer readable code, wherein the authority defined within the second code portion defines rights of the user to issue payment requests (0183; see claim 80).

4. **Claims 9-13, and 15-19**, are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al U.S. Patent Application Publication No. 2004/0139327 A1 in view of in view of Sudia et al U.S. Patent Application Publication No. 2005/0204129 A1.

As per claim 9, Brown et al discloses a computer-implemented method for ensuring non-repudiation of a payment request, the payment request being generated in a computing environment having a connection to a network, the method comprising the steps of:

receiving, over the network, the payment request together with a certificate identifying a user having caused the payment request to be generated, the certificate including certificate-identifying information and user-identifying information, the certificate further including authority information defining an authority of the user to make the payment request (fig. 1, 2, 3, and 8; 0165; 0174; 0183; claim 80);

validating the certificate-identifying information and the user-identifying information included within the received certificate by accessing a store of authority information that is independent of the received certificate (figs. 1, 2, 3, and 8; 0165; 0067; 0174; 0183; claim 80);

validating the authority information included within the received certificate, by accessing a store of authority information that is independent of the digital certificate and by matching the authority of the user defined within the second code portion of the certificate to corresponding authority information of the user retrieved from the accessed independent store of authority information, and

executing of the payment request only when the certificate-identifying information, the user-identifying information and the authority information within the received certificate is successfully validated (fig. 1, 2, 3, and 8; 0165; 0174; 0183; claim 80)

What Brown does not explicitly teach is validating the authority information included within the received certificate, by accessing a store of authority information that is independent of the digital certificate and by matching the authority of the user defined within the second code portion of the certificate to corresponding authority information of the user retrieved from the accessed independent store of authority information.

Sudia et al discloses accessing, over the network, a store of authority information that is independent of the digital certificate and by matching the authority of the user defined within the second code portion of the certificate to corresponding authority information of the user retrieved from the accessed independent store of authority information (0132; ...authorizing agents who will be empowered to instruct the signing device to apply its partial signature...; 0171; ...indicating powers for which the agent is authorized...; 0252; ...verifies that the requesting user's signatures matches...)

Accordingly it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the system of Brown et al and incorporate a method of accessing, over the network, a store of authority information that is independent of the digital certificate and by matching the authority of the user defined within the second code portion of the certificate to corresponding authority information of the user retrieved from the accessed independent store of authority information as taught by Sudia et al, in order to ensure adequate security during validation.

As per **claim 10**, Brown et al further discloses the method, wherein the payment request is for a predetermined amount and wherein the payment request is authorized

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only when the validating steps are successful and when the authority information for the user stored in the hierarchical authority data structure lists an authorized amount for the user at least equal to the predetermined amount (0177; 0183; 0184; 0185).

As per **claim 11 and 16**, Brown et al further discloses the method, wherein the certificate received in the receiving step conforms to the X.509 standard (0109; 0164; 0183).

As per **claim 12 and 17**, Brown et al further discloses the method, wherein the authority information is configured as XML code (0062; 0068; 0069).

As per **claim 13 and 18**, Brown et al further discloses the method, wherein the XML code is compliant with a DSML standard (0062; 0068; 0069).

As per **claim 15**, Brown et al discloses a software application configured to carry out a financial transaction, the application being configured to run on a computer coupled to a network, and comprising, stored on a computer-readable medium:

certificate receiving code which is configured to receive a digital certificate from a user over the network, the certificate including certificate-identifying information and user-identifying information, the certificate further including authority information that defines an authority granted to the user to request that the financial transaction be carried out (fig. 1, 2, 3, and 8; 0165; 0174; 0183; claim 80);

certificate validating code configured to enable validation of the certificate-identifying information and user-identifying information within the received certificate (fig. 1, 2, 3, and 8; 0165; 0174; 0183; claim 80).

What Brown does not explicitly teach is

authorization validating code configured to enable validation of the authority information within the received certificate against corresponding authority information for the user stored in a data structure that is coupled to the network and that is independent of the received certificate by accessing the data structure over the network and by matching the authority information included in the received certificate to the corresponding authority information stored in the accessed data structure.

Sudia et al discloses authorization validating code configured to enable validation of the authority information within the received certificate against corresponding authority information for the user stored in a data structure that is coupled to the network and that is independent of the received certificate by accessing the data structure over the network and by matching the authority information included in the received certificate to the corresponding authority information stored in the accessed data structure (0132; ...authorizing agents who will be empowered to instruct the signing device to apply its partial signature...; 0171; ...indicating powers for which the agent is authorized...; 0252; ...verifies that the requesting user's signatures matches...).

Accordingly it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the system of Brown et al and incorporate a method of

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authorization validating code configured to enable validation of the authority information within the received certificate against corresponding authority information for the user stored in a data structure that is coupled to the network and that is independent of the received certificate by accessing the data structure over the network and by matching the authority information included in the received certificate to the corresponding authority information stored in the accessed data structure in view of the teachings of Sudia et al in order to ensure that the user is not an imposter.

As per claim 19, Brown et al further discloses the software application, wherein the authority defined by the authority information within the received certificate also defines rights of the user to access predetermined data and programs within the network (0183; 0184).

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of

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the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Charles C.L. Agwumezie** whose number is **(571) 272-6838**. The examiner can normally be reached on Monday – Friday 8:00 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Andrew Fischer** can be reached on **(571) 272 – 6779**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Charlie Lion Agwumezie
Patent Examiner
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May 4, 2007



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